

Handwritten initials "H.B." in a circle.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/389,289	09/02/1999	SOICHI TSUMURA	P/1905-87	5253

7590

11/01/2002

Steven I. Weisburd
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
1177 Avenue of the Americas
41st Floor
New York, NY 10036-2714

EXAMINER

BURD, KEVIN MICHAEL

ART UNIT	PAPER NUMBER
----------	--------------

2631

DATE MAILED: 11/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/389,289

Applicant(s)
TSUMURA

Examiner
Kevin Burd

Art Unit
2631



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 1, 2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

Art Unit: 2631

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higashi et al (US 5,692,015) in view of Chalmers (US 5,375,146).

Regarding claims 1 and 5, Higashi discloses a coherent detection method and system including a step of estimating a transfer function using pilot signals (abstract). The pilot symbols are located before and after the information signal (figure 1). Detection occurs by interpolating the transfer function. The circuit is shown in figure 3. Higashi does not disclose updating at a middle point of the data frame a reception sampling point. However, Chalmers discloses the circuit shifts the sample timing phase so that the sampling occurs at the maximum opening of the receiver eye pattern (i.e. sampling in the middle of a digital symbol) to minimize intersymbol interference (column 13, lines 19-23). This allows the interpolation synchronous detection in the receiver (column 14, lines 34-38). It would have been obvious of one of ordinary skill in the art to shift the sample timing phase so the sampling occurs at the middle point to minimize

Art Unit: 2631

intersymbol interference as disclosed by Chalmers in the method and system of Higashi.

Regarding claim 6, Higashi further discloses an automatic gain control circuit which periodically adjusts the gain of the received signal. This gain change changes the transfer function (figure 2).

3. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higashi et al (US 5,692,015) in view of Yamada et al (US 5,822,364) further in view of Chalmers (US 5,375,146).

Regarding claims 2 and 4, Higashi discloses a coherent detection method and system including a step of estimating a transfer function using pilot signals (abstract). The pilot symbols are located before and after the information signal (figure 1). Detection occurs by interpolating the transfer function. The circuit is shown in figure 3. Higashi does not disclose using the complex conjugate for performing the coherent detection. Yamada discloses the demodulated data is obtained after completion of the pilot coherent detection scheme with interpolation using the complex conjugate as stated in column 1, lines 11-38. This is a critical component of correctly computing the coherent detection. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the coherent detection scheme of Yamada into the detection scheme of Higashi to ensure the correct values are detected. In addition,

Art Unit: 2631

Higashi does not disclose updating at a middle point of the data frame a reception sampling point. However, Chalmers discloses the circuit shifts the sample timing phase so that the sampling occurs at the maximum opening of the receiver eye pattern (i.e. sampling in the middle of a digital symbol) to minimize intersymbol interference (column 13, lines 19-23). This allows the interpolation synchronous detection in the receiver (column 14, lines 34-38). It would have been obvious of one of ordinary skill in the art to shift the sample timing phase so the sampling occurs at the middle point to minimize intersymbol interference as disclosed by Chalmers in the method and system of the combination of Higashi and Yamada.

Regarding claim 3, Higashi further discloses an automatic gain control circuit which periodically adjusts the gain of the received signal. This gain change changes the transfer function (figure 2).

Contact Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry or for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


Art Unit: 2631

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Burd, whose telephone number is (703) 308-7034. The Examiner can normally be reached on Monday-Thursday from 9:00 AM - 6:00 PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.



Kevin M. Burd
PATENT EXAMINER
October 30, 2002



CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 05/31/02